

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

In the Matter of)	
)	
Petition of the Louisiana Public Service)	
Commission for Expedited Decision for Additional)	
Delegated Authority to Implement)	
Number Conservation Measures)	NDS File No. L-01-147
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions of the Telecommunications Act of)	
1996)	

**COMMENTS OF
THE CELLULAR TELECOMMUNICATIONS & INTERNET ASSOCIATION**

The Cellular Telecommunications & Internet Association (“CTIA”)¹ hereby submits its comments on the petition filed by the Louisiana Public Service Commission (“LA PSC”),² for additional delegated authority to implement number conservation measures.

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service (“CMRS”) providers and manufacturers, including cellular, broadband PCS, ESMR, as well as providers and manufacturers of wireless data services and products.

² *Petition of the Louisiana Public Service Commission for Expedited Decision for Additional Delegated Authority to Implement Number Conservation Measures Regarding Area Code 318*, CC Docket No. 99-200 (Aug. 22, 2001)

I. INTRODUCTION

The LA PSC has filed a Petition with the Commission seeking a greater role in the area of number conservation and area code relief than the Commission prescribed in the recent *Second Report and Order* for number resource optimization.³

Although the *Second Report and Order* permits states to continue to request additional authority to implement various number conservation methods, the *Second Report and Order* also prescribes a national framework for numbering and limits the authority that states can now exercise over numbering administration. The *Second Report and Order* provides that the states must still fulfill the critical role of providing timely and non-discriminatory area code relief.⁴ Thus, CTIA opposes the aspects of the petition which (1) request authority over numbering administration that is now reserved for national implementation; or, (2) would be unduly burdensome on an interim basis.⁵

³ *In re Numbering Resource Optimization*, CC Docket No. 99-200, *Second Report and Order* (rel. Dec. 29, 2000) (“*Second Report and Order*”). See also *In re Numbering Resource Optimization*, CC Docket No. 99-200, FCC No. 00-104, *Report and Order and Further Notice of Proposed Rulemaking* (rel. March 31, 2000) (“*Numbering Resource Optimization Order*” or “*NRO Order*”).

⁴ See *Second Report and Order* at ¶¶ 8, 58. See also *NRO Order* at ¶¶ 9, 120.

⁵ In its petition, the LA PSC requested the Commission to include the 318 NPA in the national pooling rollout schedule rather than request additional delegated authority to implement thousands-block number pooling in the 318 NPA. However, the LA PSC filed its petition after the Commission chose the national Pooling Administrator and established the national pooling schedule, which will commence in March 2002. Thus, the LA PSC’s pooling request is more properly addressed in the national thousands-block number pooling rollout proceeding. See *Federal Communications Commission’s Common Carrier Bureau Selects NeuStar, Inc. as National Thousands-Block Number Pooling Administrator*, Press Release (rel. June 18, 2001); *Public Notice, Common Carrier Bureau Seeks Comment on the National Thousands-Block Number Pooling Rollout Schedule*, CC Docket No. 99-200 (rel. Oct. 17, 2001).

CTIA strongly believes that conservation measures must be developed at the national level.⁶ The alternative to the adoption of nationwide numbering conservation solutions is a “patchwork” of individualized, local measures that would subject carriers to inconsistent state numbering administration regimes and impermissibly compromise the Commission’s exclusive jurisdiction over the North American Numbering Plan for the United States. The Commission has stated that a nationwide, uniform system of numbering is essential to the efficient delivery of interstate and international telecommunications services.⁷ The lack of uniformity also could hamper industry efforts to forecast and plan properly for exhaust of the North American Numbering Plan.⁸

II. THE LA PSC’S REQUESTS WERE ADDRESSED BY THE NRO ORDER

Specifically, the LA PSC requests additional authority to: (1) continue rationing measures after the implementation of new area codes and (2) hear and address claims by carriers outside of the rationing process.⁹ Additionally, the LA PSC requests a waiver of

⁶ Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, *Memorandum Opinion and Order on Reconsideration*, 13 FCC Rcd. 19009 at ¶¶ 21, 27, 30 (1998) (“*Pennsylvania Numbering Order*”).

⁷ *Ameritech Order* at ¶ 13. *Pennsylvania Numbering Order* at ¶ 21.

⁸ *Pennsylvania Numbering Order* at ¶ 21.

⁹ *Public Notice*, “Common Carrier Bureau Seeks Comment on the Petitions of Representative Keith R. McCall and other Pennsylvania State Representatives and the Louisiana Public Service Commission Requesting Delegated Authority to Implement Number Conservation Measures and Common Carrier Bureau Declines to Address the Remaining Requests of the Georgia Public Service Commission, the Kentucky Public Service Commission and the Louisiana Public Service Commission for Delegated Authority to Implement Number Conservation Measures,” CC Docket No. 96-98, 99-200, DA 01-2174 (rel. Oct. 9, 2001).

the Commission's Rules which would allow it to require non-LNP-capable carriers to participate in pooling in more than one MSA. Most of the LA PSC's requests were addressed and decided in the *NRO Order*.

The FCC has established national number assignment standards that empower the North American Numbering Plan Administrator (NANPA) to withhold numbering resources and to verify the need for an initial code or growth codes. Moreover, the FCC determined what evidence is necessary for obtaining initial or growth numbering resources. The Commission adopted a flexible requirement for sequential number assignment in the *NRO Order*, which allows carriers to assign all available numbers from an opened thousands-block before opening another thousands-block, unless the available numbers are insufficient to meet a customer's request. Given the FCC's decision that states must conform all aspects of their pooling trials with Federal requirements by April 8, 2001, there is no need to make further grants of interim authority to states to merely follow Federal requirements established by the *NRO Order*. Furthermore, state commissions have established state pooling trials with notice that their interim pooling authority would be superseded by national standards.¹⁰

Recognizing that it had granted interim authority to some states to require sequential numbering assignment and that it had urged those states to allow carriers flexibility in assigning numbers sequentially, the FCC adopted a flexible requirement for sequential number assignment in the *NRO Order*.¹¹ Carriers must assign all available numbers from an opened thousands-block before opening another thousands-block,

¹⁰ *Second Report and Order* at ¶46.

¹¹ *NRO Order* at ¶¶ 243-46.

unless the available numbers are insufficient to meet a customer's request. The FCC found that strict sequential numbering was too inflexible to meet customer's needs. By January 1, 2001, states already granted interim authority to implement sequential numbering must conform their requirements to the federal requirements. Given this decision, there is no need to make further grants of interim authority to states to merely follow federal requirements established by the *NRO Order*.¹²

IV. STATES SHOULD ENGAGE IN RATE CENTER CONSOLIDATION WHERE POSSIBLE

The states and the FCC have supported thousands block number pooling. However, the complement to pooling is rate center consolidation. In a recent order, the Commission recognized the sound numbering policy advantages favoring rate center consolidation.¹³ The Commission noted that consolidating smaller rate centers to form larger geographic calling areas is “an attractive numbering resource optimization measure because it enables carriers to use fewer NXX codes and thousands-blocks to provide service throughout a region, thereby reducing the demand for NXX codes and thousands-blocks, improving number utilization, and prolonging the life of an area code.”¹⁴ In accordance with the Commission's directive to state commissions, the LA PSC should “proceed as expeditiously as possible to consolidate rate centers.”¹⁵

¹² *Id.*

¹³ *See In re Numbering Resource Optimization*, CC Docket No. 99-200, *Order* (rel. March 14, 2001) at ¶ 9.

¹⁴ *Id.*

¹⁵ *Id.*

V. CONCLUSION

There is no impediment preventing the states from using the tools available to them – area code splits, non-service specific overlays, and rate center consolidation – to provide carriers with the numbering resources they need to fulfill the Congressional mandate of a competitive communications marketplace.

Louisiana and the other states which have petitioned the FCC for greater authority over the administration and assignment of numbering resources understandably are concerned about code exhaust in their jurisdiction. However, code exhaust is only one element of efficient number utilization. The most efficient utilization of the nation's numbering resources is the FCC's national approach which assigns to the states an important role and seeks to address the efficient use of both NPA's as well as NXX codes for *all* states and *all* consumers.

Respectfully submitted,

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